

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

BENARD MARIO CLARK,	§	
No. 0117411,	§	
	§	
Petitioner,	§	
	§	
v.	§	CIVIL ACTION NO. H-07-3070
	§	
LUFKIN DETENTION CENTER,	§	
	§	
Respondent.	§	


**FINAL JUDGMENT**

For the reasons stated in this court's Memorandum Opinion and Order entered this date, this action is hereby **DISMISSED without prejudice.**

For the reasons stated in the court's Memorandum Opinion and Order and because the petitioner has not made a substantial showing of the denial of a constitutional right, a Certificate of Appealability is **DENIED.**

This is a **FINAL JUDGMENT.**

**SIGNED** at Houston, Texas, on this 3rd day of October, 2007.

  
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SIM LAKE  
UNITED STATES DISTRICT JUDGE